

## WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS - AIRPORT; DPW AND PARKS, RECREATION & RAILROAD

DATE: FEBRUARY 1, 2011

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BELDEN  
BENTLEY  
CHAMPAGNE  
MONROE  
MCCOY  
CONOVER  
WOOD  
TAYLOR

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR MERLINO

**OTHERS PRESENT:**

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
KEVIN HAJOS, DEPUTY SUPERINTENDENT OF PUBLIC WORKS  
WILLIAM LAMY, SEWER ADMINISTRATOR  
DON DEGRW, AIRPORT MANAGER  
PAUL BUTLER, DIRECTOR, PARKS, RECREATION & RAILROAD  
REPRESENTING THE KINGS SCHOOL :  
KELLY GURLING, PRINCIPAL  
CATHERINE BAILEY, CURRICULUM DIRECTOR  
EDD VONSEGGERN, VOLUNTEER  
DANIEL G. STEC, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS LOEB  
THOMAS  
VANNESS  
JULIE PACYNA, PURCHASING AGENT  
JOANNE SMITH, TOWN OF NORTH CREEK RESIDENT  
DON LEHMAN, *THE POST STAR*  
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Belden called the meeting of the Public Works Committee to order at 9:30 a.m.

Motion was made by Mr. Bentley, seconded by Ms. Wood and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Don DeGraw, Airport Manager, who distributed copies of his agenda to the Committee members. *A copy of the agenda is also on file with the minutes.*

Commencing with the agenda review, Mr. DeGraw presented four requests to authorize submission of FAA (Federal Aviation Administration) grant applications which he outlined as follows:

1. Grant funding in an amount not to exceed \$250,000 for construction/installation of PAPI (Precision Approach Path Indicators) for Runway 12 and/or Runway 30 to mitigate for tree penetrations on the approaches;
2. Grant funding in an amount not to exceed \$50,000 to contract with C&S Engineers to begin pre-negotiation of proposed avigation easements for three properties associated with obstruction removal within the Runway 30 approach surfaces;
3. Grant funding in an amount not to exceed \$550,000 to contract with C&S Engineers to perform design, mitigation and permitting for a 1000 ft. extension to Runway 1-19; and
4. Grant funding in an amount not to exceed \$190,000 for expansion of the existing ARFF (Aircraft Rescue Firefighting) building to a size sufficient to accommodate the new Airport fire truck.

Motion was made by Mr. Bentley and seconded by Mr. McCoy to approve all four requests to submit grant

applications.

When questioned by Mr. Belden as to the Local Share associated with these grant opportunities, Mr. DeGraw apprised that each required a 2.5% match and noted that although they had attempted to include this funding in the 2011 Budget, they had not been permitted to do so. Jeffery Tennyson, Superintendent of Public Works, interjected that they intended to cover the Local Share for these grants along with those for several Public Works projects under a BAN (Bond Anticipation Note) which he intended to request during the DPW portion of the Committee meeting.

Mr. Champagne asked if any of the tree penetration issues associated with the Runway 1-19 extension were present on Chestnut Ridge and Mr. Tennyson responded that the extension would be towards the south, causing no additional impact to the Chestnut Ridge area.

Mr. Belden called the question and the previously mentioned motion was carried unanimously to approve all four requests to submit grant applications and the necessary resolutions were authorized for the February 18<sup>th</sup> Board meeting. *Copies of the requests are on file with the minutes.*

Continuing, Mr. DeGraw presented a request for three members of the Airport staff to travel to the KME Manufacturing plant in Nesquehoning, PA for Airport fire truck initial inspection and training. He advised that the travel would be for three days which would not be determined until the fire truck was 95% complete, and all expenses, including travel, lodging and food, would be paid by KME. Mr. DeGraw noted that although this travel would be for training purposes, it would also serve as their inspection of the fire truck as once the vehicle was delivered, they would not be able to return it.

Mr. Belden asked if the Airport snowblower had been received and Mr. DeGraw replied in the negative, noting that it was expected to be received in April.

Motion was made by Mr. Champagne, seconded by Mr. McCoy and carried unanimously to approve the request for out-of-State travel as outlined above and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Mr. DeGraw then presented a request to authorize out-of-State travel for himself to attend the FAA's 34<sup>th</sup> Annual Airports Conference which would be held in Hershey, PA on March 1 - 3, 2011. He noted that the total cost for this travel would be \$725 for hotel and registration fees, all of which was available within the existing Budget.

Motion was made by Mr. McCoy, seconded by Mr. Conover and carried unanimously to approve the previously mentioned request and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. DeGraw announced that the next agenda item consisted of a request to fill the vacant position of Senior Airport Facility Maintenance Mechanic, base salary of \$37,489, due to a retirement occurring on February 27<sup>th</sup>.

Mr. Belden asked if the base salary listed was the same as what the previous employee had been paid and Mr. DeGraw replied that the base salary was the same and there would be some savings as the retiring employee had accumulated a considerable amount of longevity pay during his tenure. Mr. DeGraw added that they intended to fill this position by promoting from within; therefore, he noted, the promoted employee would receive the base salary indicated, as well as any longevity pay accumulated. Mr. Tennyson pointed out that the agenda included a second

request to fill one or more vacant positions to be determined based on the employee chosen to fill the Senior Airport Facility Maintenance Mechanic position, as they expected this action to spur a series of promotion based vacancies within the Airport and possibly other Public Works Divisions. He apprised that the retiring employee had been very valuable to the Airport operation, providing a considerable knowledge base, and would be very difficult to replace, although they felt they had the right person in mind for promotion.

Paul Dusek, County Attorney/Administrator, noted most Department Heads typically met with him prior to their Committee meetings to discuss requests to fill vacant positions, but neither Mr. DeGraw or Mr. Tennyson had made previous contact with him on this matter. He advised that before signing his consent as County Administrator for the positions to be filled, he had a number of questions to ask.

In light of Mr. Dusek's statements, Mr. Champagne suggested that the matter be tabled until the next Committee meeting in order to address all of his concerns before authorizing the positions to be filled. Mr. Tennyson responded it was his understanding that as long as the position was funded within the existing budget he was able to request that it be filled without issue. He added that while he was not averse to discussing the matter extensively with Mr. Dusek, he would request that he be permitted to re-introduce the matter at the upcoming Personnel Committee meeting so as not to further delay the filling of the positions in light of the associated workload and the already insufficient staffing at the Airport.

Subsequent to further discussion on the matter, motion was made by Mr. Taylor, seconded by Mr. Champagne and carried unanimously to approve the request to fill the Senior Airport Facility Maintenance Mechanic position, as well as one or more vacancies occurring due to internal promotions, contingent upon Mr. Dusek's review and approval, and refer same to the Personnel Committee. *Copies of the Notice of Intent to Fill Vacant Position forms are on file with the minutes.*

Moving on to the next agenda item, Mr. DeGraw reviewed the Items of Interest section, which he outlined as follows:

1. Referring to the tree clearing efforts for air space penetrations on the eight-acre parcel owned by Victor Macri adjacent to the southern end of the Airport property, Mr. DeGraw advised he had obtained a clear cutting permit from the Town of Queensbury and had presented Mr. Macri with a finalized access agreement for his signature. He said they had already received four bids from area logging companies, one of which had been determined as the lowest responsible bidder, and as soon as the signed access agreement was received they would begin the logging process. Mr. DeGraw noted that the cutting process was somewhat constrained because the permit prohibited ground disturbance, meaning that the cutting would have to be done while the earth was either frozen or dry. He concluded that he hoped the signed agreements would be received in a timely fashion to allow the cutting to occur over a five-day period during the month of February when the ground was still frozen; and
2. Mr. DeGraw noted that the agenda packet included two articles of interest that he asked the Committee members to review at their convenience.

Mr. DeGraw concluded the agenda review by outlining the Referrals section as follows:

1. Negotiations continued with Mr. Macri relative to procuring an easement on the Forest Enterprises property, or possibly making a change of properties, in connection with the runway extension project, Mr. DeGraw advised. He said that he had no new information to present and asked Mr. Dusek to expound on the matter. Mr. Dusek proceeded to provide a recap of the situation, explaining that they were currently making an effort to determine a solution which would forward the projected

runway expansion while still allowing Mr. Macri to industrialize his property as the associated economic development imposed by construction of commercial buildings was very important to the County. Relative to Referral Item 3, concerning the introduction of a third entrance into the Airport, Mr. Dusek advised a meeting had recently been held between himself, Mr. Taylor and representatives of the Economic Development Corporation of Warren County (EDC) to determine whether the new access road could be built to provide economic developments while also accessing the proposed Fire Training Center. He concluded there were a number of initiatives and issues being addressed concurrently and he felt they would have to wait and see how these things turned out before determining how the County would proceed;

2. Mr. Belden advised that at a recent meeting held with the Adirondack Balloon Festival Committee it was expressed that the Balloon Festival did not have funding available to assist with overtime costs associated with the event. He added that since monies for overtime costs were not included in the existing budget, an alternate funding source had to be determined. Mr. Tennyson interjected that the 2011 Airport Budget included overtime funding, but none designated specifically for the Balloon Festival. Mr. Dusek commented that the Public Works budget as a whole was very lean and included overtime funding only for designated events, such as snow and ice removal. He added that with each storm that occurred he was nervous that the current overtime budget would be exceeded. Mr. Tennyson said they presumed that the Balloon Festival would occur in 2011, as was the Balloon Festival Committee, and he felt that if the County did not intend to fund the overtime expenses they needed to begin discussions either on where these monies would come from or how the services could be alternately provided. In fairness to the Balloon Festival Committee, Mr. Dusek pointed out that they were a not-for-profit organization facing decreased funding due to the economic downturn. He noted that he was in agreement with Mr. Tennyson in that an alternate solution needed to be determined, otherwise the County would be forced to fund the overtime costs independently and identify an alternate source of funding to cover shortfalls in overtime codes at the end of the year. Mr. Monroe stated that although he was aware there were considerable obstacles to be overcome, he felt the reasonable solution to this issue was to revisit the implementation of parking fees during the event to defray associated overtime costs; he added that the event drew a large number of people who he did not feel would object to paying a parking fee. Mr. Monroe advised that another alternative would be to charge a vendor fee, but noted there were a number of not-for-profit organizations that participated in the event in order to raise monies for their specific cause and a fee would lessen the amount they were able to collect. Mr. Tennyson suggested that an internal meeting be held to discuss the parking fee issue and determine appropriate ways to collect the fees, following which a meeting could be scheduled with the Balloon Festival Committee to disclose these ideas. Chairman Stec said he would suggest having the County collect the parking fees, rather than the Balloon Festival Committee as they had already expressed their opposition to instituting parking fees, as well as the fact that they were unsure whether they could provide the proper amount of manpower to do so. Mr. Tennyson noted that suggestions had been made to contract with a not-for-profit agency to collect the parking fees and Chairman Stec agreed there were a number of such organizations that would likely be interested in participating. Mr. Champagne stated that the main argument against introducing a parking fee had been the delays that would be caused in getting the cars onto the property. He said that with the level of technology available, he would suggest selling advanced parking tickets online for priority parking which would lessen the amount of time spent collecting fees from visitors and give the advanced purchasers better parking options. Building on Mr. Champagne's idea, Mr. Dusek said they might be able to set up a special lot offering more convenient parking for visitors willing to pay the fee and parking those seeking free parking in

- another location. Concluding the conversation, Mr. Belden asked Mr. Tennyson to work with Mr. Dusek to schedule an internal meeting to further discuss this matter, as well as to set up a following meeting with the Adirondack Balloon Festival Committee; and
3. With respect to the need for right-of-way (ROW) access to introduce a third access road to the Airport property, Mr. DeGraw advised that he had sent a letter of inquiry to the appropriate property owner, but had yet to receive any response.

There being no further Airport business to present, privilege of the floor was extended to Paul Butler, Director of Parks, Recreation & Railroad, who distributed copies of his agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Mr. Tennyson began the review with Agenda Item 1, which consisted of an informational note on Warren County Road ROW designations for snowmobile use. He explained that there were snowmobile trails on existing County ROW that had existed since the trail system was managed by the County and in reviewing the matter he had been unable to find any superintendent designations for these trails. Mr. Tennyson said he was preparing to distribute information to the Towns of Warrensburg, Chester, Horicon, Lake Luzerne, Hague, Thurman and Lake George to rectify this situation. He apprised that he was prepared to issue letters approving the snowmobile trails in their current state, followed by which each Town would be required to pass a Local Law designating these sections of County highway for snowmobile use. Mr. Belden noted that one problem with this process was that by the time the Local Laws were passed the snowmobile season would be over and Mr. Tennyson responded that this process would not impede the use of the trails and was simply to make them legal. Mr. Geraghty questioned whether the specific requirements would be outlined in the letter forwarded to the Towns and Mr. Tennyson replied affirmatively, noting that specific directions and information would be provided, including trail maps, limitations on use of trails and coordination with the Department of Public Works.

Moving on to Agenda Item 2, Mr. Butler presented a request to amend the 2011 County Budget to increase estimated revenues and appropriations in the amount of \$58,926 to reflect the receipt of 70% of State Snowmobile grant funding. He noted that although they had not yet received the check for the grant funds, he was seeking Committee approval to amend the Budget so that it could be done as quickly as possible. Mr. Butler added that he expected to receive the funds either later that week or the following week.

Mr. Belden inquired as to how the figure received compared to what was received for grant funding in the prior year and Mr. Butler advised that it was slightly less.

Motion was made by Mr. Monroe, seconded by Ms. Wood and carried unanimously to approve the request to amend the County Budget to reflect the receipt of unanticipated revenues as previously noted and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Butler announced that Agenda Item 3 consisted of a request to accept a \$341 donation from D&J Crossroads Inc. in support of keeping the Warren County Fish Hatchery in operation, as well as to authorize the Chairman of the Board to issue a letter of appreciation for said donation. He explained that subsequent to discussions held during the 2009 Budget negotiation sessions in which it was debated whether to continue operation of the Fish Hatchery, D&J Crossroads had begun collecting donations to assist with operational costs for the facility in hopes of keeping it open and operational to support enhanced fishing opportunities in Warren County. In addition to the donation, Mr. Butler advised that D&J Crossroads Inc. had submitted a petition signed by over 300 individuals supporting the current and future efforts of the Fish Hatchery. *The petition is on file with the minutes.*

Mr. Bentley noted that the total received consisted of donations made by both local and visiting sportsman showing their support for Fish Hatchery operations. He added that a raffle was also being held to show further financial support.

Motion was made by Mr. Bentley, seconded by Mr. Monroe and carried unanimously to approve the previously mentioned request and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

In connection with the previous item, Mr. Butler advised that Agenda Item 4 consisted of a request to amend the 2011 County Budget to increase estimated revenues and appropriations in the amount of \$341 to accept the donation. He apprised that the funds would be used to purchase two automatic belt feeders which would not have been acquired otherwise due to a lack of funding. Mr. Butler explained that the belt feeders allowed for feeding the fish automatically without extensive human interaction which was much more labor efficient.

Motion was made by Mr. Conover, seconded by Mr. Bentley and carried unanimously to approve the request to amend the County Budget in the amount of \$341 to reflect the receipt of unanticipated revenues and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Butler then circulated photographs of a 15" rainbow trout raised at the Fish Hatchery, but noted that not all of the fish raised reached this size. He advised this was one of approximately 1,500 two-year old fish used for stocking various area waterways, such as Mill Pond and Crandall Park Pond for fishing events held there. Mr. Butler said the remaining fish raised at the Hatchery were yearlings comprised of approximately 17,000 rainbow trout and 12,000 stream trout.

Mr. Bentley apprised of a letter he had received from the Region 5 Fish & Wildlife Management Board regarding access to Trout Lake which was the subject of a lawsuit a number of years ago. He explained there was a five-foot ROW available which was not conducive for launching canoes or boats due to a guard rail blocking the access; he added that this encumbrance made it virtually impossible for elderly or handicapped persons to use the launch. Mr. Belden questioned whether the ROW was associated with a County or State road and Mr. Bentley replied that he was unsure. Mr. Tennyson interjected that Patricia Nenninger, Second Assistant County Attorney, was deeply involved with the matter and had the most information to offer and he suggested that further discussion on the matter be delayed until the next Committee meeting when Mrs. Nenninger was available to provide an update. He noted that thus far it was unclear whether any action was necessary on the part of the County to rectify this situation.

Mr. Belden agreed that the item should be added to the Pending Items/Referral List for further discussion at the next Committee meeting.

Resuming the agenda review with Item 5, Mr. Butler presented a request for an inter-Municipal agreement with the Town of Bolton to accept \$20,000 in support of Up Yonda Farm.

Motion was made by Mr. Monroe, seconded by Mr. Bentley and carried unanimously to approve the request for an inter-Municipal agreement with the Town of Bolton and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Belden thanked the Town of Bolton for their continued support of the Up Yonda facility and noted that their donations made it possible for citizens from all over the County to enjoy the activities and programs offered there.

Mr. Butler apprised that Agenda Item 6 consisted of an informational update on the A/GFTC (Adirondack/Glens Falls Transportation Council) grant application approved for submission at a prior Committee meeting, for which a funding award was received. Mr. Tennyson advised that the grant funding awarded would be used in connection with the West Mountain Road paving project planned for 2011 to widen the shoulders along this road and make them more user friendly for bicyclists, as well as to enhance the Warren County Bikeway at the Route 149 access point to include a bike rack and a dismount area and introduce a connection to existing sidewalk located adjacently on State Route 9. He noted that although the County would be heading both projects, they would be coordinating with NYSDOT (New York State Department of Transportation) and the Town of Queensbury, who would subsequently assume the maintenance responsibilities for the sidewalk enhancements.

A brief discussion ensued.

Moving on to Agenda Item 7, Stony Creek Platform Update, Mr. Tennyson advised the prime access agreement for the platform location was in place and they were proceeding with coordinating an extension of the associated grant. He said that although they had not yet received formal notification that the grant would be extended, Wayne LaMothe, Deputy Director of the Planning & Community Development Department, had assured him the approval was imminent. They would be proceeding with the bid process for construction materials, Mr. Tennyson apprised, and once received, a decision would be made on the bid award based on whether or not confirmation of the grant extension was received. He stated they were awaiting two easements from the adjoining property owner, one for parking and the other for utility access.

Mr. Butler announced that Agenda Item 8 referred to a request from the Kings School, located in the Town of Hadley, for a ROW agreement which would allow them to cross a section of the railroad tracks owned by Warren County to reach their sports field. He reminded the Committee this issue had been discussed in January of 2010, at which point the Committee had decided not to grant the requested access. Mr. Butler pointed out that the agenda included aerial maps of the area and the approximate location of the ROW access requested which would allow students and faculty to access the recreation field directly behind the Kings School building.

Mr. Champagne stated his recollection that the reason for the Committee's rejection of the initial request for ROW access was related strictly to the liability exposure that would be incurred by the County if the access was granted. He then questioned whether the School was crossing the tracks without proper consent and whether the County would necessarily have to go on record as approving the access or if the School could continue to cross the tracks without approval.

At this point, the representatives of the Kings School, Kelly Gurling, Principal; Catherine Bailey, Curriculum Director; and Edd Von Seggern, Volunteer, were introduced to the Committee members.

Ms. Gurling apprised that the Kings School educated approximately 200 students between the ages of three and eighteen, representing twenty-six communities and four Counties. She pointed out that the Kings School had a documented ROW access point across the railroad tracks located to the south of the School; however she said, using this access required that they set up a field trip scenario to transport the children to the field each time they wished to use it as she refused to allow any of the children to walk down a very busy section of highway with high speed limits to reach it. Ms. Gurling stated that the situation was preposterous in light of the fact that, if granted ROW access, they could simply walk 20 yards from the back of the school to safely reach the fields. She said she and her colleagues were in attendance to appeal to the Committee and request that the additional ROW access be granted, or the current access point be revoked in favor of the ROW site desired, to alleviate the issues currently faced.

Referring to the aerial maps distributed, Mr. VonSeggern pointed out that the current ROW access point was located near a curve in the railroad tracks that restricted visibility for both the train engineer and any persons crossing the tracks; conversely, he pointed out that the desired ROW location was situated on a straight section of tracks which allowed better visibility and would be much safer. He then asked Mrs. Bailey to distribute photographs depicting the relatively shallow road shoulder that students would be expected to travel if walking to the current ROW; *copies of the photographs are on file with the minutes*. In closing, Mr. VonSeggern reiterated Ms. Gurling's request that the Committee consider trading the current, unsafe ROW location previously granted by the County for one that was both safer and better suited for the School's needs.

Mr. Butler noted that typically, the same person owned property on both sides of the railroad tracks; however, he pointed out, such was not the case in this matter and he questioned whether the Kings School had exclusive rights for use of the ROW they sought to cede. Mr. VonSeggern stated that the ROW was cited in the deed associated with the property owned by the Kings School and he believed that they retained sole usage rights.

Mr. Monroe stated that if the information provided was accurate, it would be sensible for the County to transfer the ROW site to the safer location desired, but noted that proper documentation should be provided for research and verification before a decision was made.

Following further discussion, it was the consensus of the Committee that copies of the deed and ROW documentation obtained by the Kings School should be provided to the County Attorney's Office for review and verification, following which further consideration would be given to the request made by the Kings School for alternate ROW access.

Mr. VonSeggern thanked the Committee for their consideration of the matter and noted his pleasure with the cooperation received from both Mr. Butler and the Public Works Committee.

Concluding his review, Mr. Butler pointed out that the agenda included statistical information on Upper Hudson River Railroad ridership and revenue figures for 1999 - 2010, as well as visitation and revenue figures associate with the Up Yonda Farm for 1997 - 2010, which he asked the Committee members to review at their leisure. He noted there were no Referral Items to discuss.

When asked for an update on the Railroad Operator RFP (request for proposal), Mr. Dusek advised he was very pleased with proceedings and negotiations held thus far. He stated that although it seemed like a lengthy process, in truth it was not and seemed that way because the Committee had sensibly chosen to revise the initial RFP to attract more viable candidates. Mr. Dusek apprised that negotiations with Iowa Pacific Holdings, LLC were proceeding nicely, but noted this was not the only facet of the negotiating process. He explained that they were concurrently dealing with Canadian Pacific Rail to establish a connection with the Saratoga Station, as well as with the Town of Corinth to determine the relationship between the two Municipalities for management of the railroad, as well as to introduce cost and fee structures. Mr. Dusek concluded that this was a very complex process that he wanted to proceed positively while reaching the desired goals.

Mr. Belden questioned if the train would be in place for operation during the upcoming summer months and Mr. Dusek responded that although this was the ultimate goal, he could not make any guarantees to this effect.

Joanne Smith, Town of North Creek resident, stated that the residents of North Creek were very excited about the prospects of expanded train services and were planning all types of activities for the area, including the development



of snowmobile trails that could be used for hiking during the summer months, as well as fishing, swimming and camping activities. She noted that the State intended to open up the Scaroon Manor facility to handicapped individuals and she foresaw this as another facet of the train operation.

As there was no further Parks, Recreation & Railroad business to discuss, privilege of the floor was extended to Mr. Tennyson to begin the DPW portion of the Committee meeting. Copies of the DPW agenda were distributed to the Committee members, a copy of which is also on file with the minutes.

Mr. Tennyson announced the agenda review would begin with the presentation of two items relating to the Town of Bolton Sewer Project, which he asked William Lamy, Sewer Administrator, to address. Mr. Lamy began by reminding the Committee that they had previously approved contracts with CT Male Associates for engineering services and Green Mountain Pipe for construction services in connection with the slip-lining work taking place in the Town of Bolton. He proceeded to explain that the first request included in the agenda was to amend the existing contract with CT Male for an extra work authorization in the amount of \$37,000 to increase the scope of services for rehabilitation of gravity sanitary sewers with the Town of Bolton's existing wastewater collection system through the use of slip-lining technology and manhole repair. Additionally, Mr. Lamy apprised the second request was for an amendment to the contract with Green Mountain Pipe to include Change Order No. 1 in the amount of \$230,000 to provide additional slip-lining installation for the Town's collection system.

Mr. Lamy noted that in reconciling the amounts spent in connection with the Sewer Project and the amount of grant funding remaining, it became apparent that additional grant funding was available to continue work in the Town of Bolton, as reflected by the amounts of the previous requests. He apprised that he had recently received an email from the USEPA (United States Environmental Protection Agency) reflecting a \$100,000 discrepancy in the amount of remaining grant funding which would require further review and reconciling to determine the actual level of remaining grant funding. Mr. Lamy stated there would be no additional cost to the County regardless of the findings and said the amount of work to be completed would simply be adjusted commensurate with the available funding. He advised his review indicated there was a higher level of funding available in the Local Share amount that what the USEPA was giving credit for and this discrepancy might be attributed to ineligible expenses. Mr. Lamy said that according to his calculations, there was approximately \$265,000 remaining in the Capital Project and he intended to proceed with the slip-lining work scheduled as if that figure was accurate, subsequently reducing the scope of work in the event that this was not the case.

Mr. Champagne questioned how soon the reconciliation with USEPA would take place and Mr. Lamy responded that he hoped it would occur within the next day or two.

The Committee had also previously approved a no-cost time extension for the use of USEPA grant funding in connection with the Project, Mr. Lamy advised. He noted that the original grant agreement had included a March 31, 2011 deadline; however, he said, following verbal consent given by a USEPA representative, a resolution had been adopted extending the deadline to March 31, 2015. Mr. Lamy advised that the extension had been deemed appropriate as per discussions with CT Male which indicated it was doubtful that the work would be completed before the March 31<sup>st</sup> grant deadline as the slip-lining process was dependent upon the water flow. He added that Green Mountain Pipe would do as much work as possible while the water levels were low in the spring, but might have to suspend construction during the summer season when occupancy levels were higher and return to complete the work in the fall.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to approve the requests to amend contracts with both CT Male Associates and Green Mountain Pipe as previously noted, and the necessary

resolutions were authorized for the February 18<sup>th</sup> Board meeting. *Copies of both requests are on file with the minutes. (Note: Subsequent to the meeting, Mr. Lamy advised of confirmation received from USEPA that the \$265,000 figure he had determined was correct.)*

Continuing with the agenda review, Mr. Tennyson directed the Committee members to agenda page 5, which reflected a request to authorize the sale of a 1997 New Holland broom truck to the Town of Bolton for the sum of \$5,000.

Motion was made by Mr. McCoy, seconded by Mr. Champagne and carried unanimously to approve the request and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson announced that agenda page 8 consisted of a request to authorize a \$5.5 million BAN to cover the costs associated with 2011 Federal and State-aid transportation projects; he added that agenda page 9 reflected a chart indicating the various costs associated with each project. Mr. Tennyson advised that they expected to receive Federal and State reimbursements for construction costs throughout the year, assuming the State Budget was not reduced.

Motion was made by Mr. Champagne, seconded by Mr. Monroe and carried unanimously to approve the request for a \$5.5 million BAN and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Agenda page 10 included a request for a new contract for replacement of the Harrington Road Bridge located in the Town of Johnsbury, Mr. Tennyson apprised. He said the lowest responsible bidder and contract total would be determined subsequent to the February 8<sup>th</sup> bid opening.

Motion was made by Mr. Monroe, seconded by Mr. Taylor and carried unanimously to approve the previously stated request and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that the items included on agenda pages 11 and 14 consisted of requests to amend prior resolutions, the first to amend Resolution No. 150 of 2010 to extend the existing contract with Schoder Rivers Associates for periodic professional structural engineering services, and the second to amend Resolution No. 151 of 2010 to extend the existing contract with David F. Barrass, LS for professional surveying services.

Motion was made by Mr. Champagne, seconded by Mr. Conover and carried unanimously to approve both of the aforementioned requests and the necessary resolutions were authorized for the February 18<sup>th</sup> Board meeting. *Copies of both requests are on file with the minutes.*

Continuing to agenda page 17, Mr. Tennyson presented a request to authorize the Chairman of the Board to execute assignment of current and future contracts. He explained that they often included provisions for assignment of contracts in various agreements, allowing for companies to reorganize its subsidiaries and shift contract performance responsibilities within a family of companies. Mr. Tennyson added that this resolution would allow the Chairman of the board to execute assignment of contracts between subsidiaries of one parent company when in the best interest of the County.

Mr. Belden questioned whether a re-bid for associated services would be required in these situations and Mr. Tennyson replied in the negative, noting that all contract terms and pricing would remain the same, the parent

company would simply be reassigning performance contracts from one of its subsidiaries to another. Mr. Dusek confirmed Mr. Tennyson's statements and noted that these reassignments typically occurred amongst companies with which the County held contracts for minor services, such as lawn care.

Mr. Monroe suggested that the resolution be written to clearly state that the Chairman's authorization related only to minor services and Mr. Dusek replied that a cost limitation could be included in the resolution to ensure this point. Mr. Tennyson interjected that a \$20,000 limit would be reasonable.

Mr. Champagne questioned what portion of the company would assume liability requirements with the reassignment and Mr. Dusek replied that it would be the subsidiary accepting the performance responsibilities. In response to an inquiry made by Mr. Taylor, Mr. Dusek advised that the company assuming the assignment would be required to perform in full compliance with the terms of the prior contract and institute the same insurance provisions.

Motion was made by Mr. McCoy, seconded by Mr. Monroe and carried unanimously to approve the request to authorize the Chairman of the Board to execute assignment of current and future contracts for amounts not exceeding \$20,000 and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson said that agenda page 18 included a request for a new contract with NYSDEC (New York State Department of Environmental Conservation) to establish a MOU (memorandum of understanding) relative to paving at Scaroon Manor; he added that following the resolution request, the agenda included a copy of the letter received from NYSDEC respective to this matter. Mr. Tennyson advised that this would be the second phase of the paving services provided by the County at Scaroon Manor and in researching the prior work done, he said he had discovered an MOU listing all of the requirements imposed by NYSDEC, as well as the County, as to how the paving work would be completed. He noted that in researching the prior work completed, he had found there was a project code in existence from which funds had been expended to purchase culvert pipes and materials for the first phase of the work completed by the County; he added there was currently \$24,000 within the designated project code, a portion of which could be used to fund the phase 2 project. Mr. Tennyson stated that he continued to research the prior work completed in an effort to determine whether there were any outstanding reimbursements due to the County; however, he noted, he had yet to confirm any payments due. He said his recommendation would be for the Committee to authorize another MOU for the phase 2 work, using monies available in the designated project code to charge equipment labor fees against. Mr. Tennyson advised the information he received indicated that the monies available within the project code were comprised solely of County dollars, from which the approximately \$10,000 estimated for this work could be expended, leaving the remaining \$14,000 to be used at the County's discretion.

Mr. Belden questioned whether the County would be responsible for purchasing the necessary blacktop materials and Mr. Tennyson replied in the negative, clarifying that the County would use their own equipment and labor to complete the work, with all necessary materials being purchased by the State.

Motion was made by Mr. Monroe, seconded by Mr. Champagne and carried unanimously to approve the previously noted request and the necessary resolution was authorized for the February 18<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Continuing to the next agenda item, Mr. Tennyson provided a brief update on the status of the 2010 Budget, noting he was comfortable in stating that the entire DPW Division had maintained the 2010 Budget and had under expended the allotted funding by approximately \$300,000 to \$400,000. He advised that initial indications reflected

that all budgetary codes had been under-expended with the exception of the Solid Waste Management budget which was out of his control. Mr. Tennyson said he hoped to provide more definitive figures at the next Committee meeting.

When questioned by Mr. Monroe on the matter, Mr. Tennyson advised that one-person plowing procedures were at 95% participation, using an ongoing process of training, evaluating and in some cases re-training staff to continue implementation of this procedure. He added that he felt part of the savings achieved in the 2010 Budget was attributed to the institution of one-person plowing, as well as the relatively light winter season.

Discussion ensued relative to one-person plowing procedures.

Resuming the agenda review, Mr. Tennyson pointed out that page 21 included a spreadsheet outlining overtime use for all DPW divisions. He noted that the figures listed in bold type reflected the overtime use for the month of January 2011, as well as six-year average figures which indicated that they were currently slightly below average in comparison for 2011.

Mr. Tennyson announced that agenda pages 22 - 24 consisted of three requests for transfers of funds which he outlined as follows:

1. \$12,735 transfer between various codes to adjust salary accounts to reflect the part-time status of a new temporary employee in place to cover a position current vacated due to medical leave through the end of the winter season;
2. \$15,525 transfer necessary to cover a change in the contract with the Town of Lake George for snow and ice removal services; and
3. \$4,618 transfer between various codes to alleviate deficits caused by fees associated with bonding for the Gaslight Village land purchase and DPW equipment purchases.

Speaking as Budget Officer, Mr. Geraghty stated he was very concerned with the third transfer listed as it appeared the bond for DPW equipment purchase had been over-expended, which he felt was unconscionable. He said they should have reduced the total expenditure by eliminating a piece of equipment to ensure that this did not occur and he suggested that in the future they be more diligent in determining the purchase amounts to avoid this situation. Mr. Tennyson responded that while he agreed with Mr. Geraghty's opinions, the DPW equipment bond amount had not been exceeded and they had actually underspent by approximately \$35,000, initially determining there were sufficient funds remaining to seek out an additional piece of equipment which was later eliminated. He advised that bonding fees not factored into the bond total had caused the over-expenditure to occur. Mr. Geraghty suggested that although the transfer would have to be made to cover the expenditure billed by the Treasurer's Office, he felt the matter should be researched further as he did not recall this issue surfacing in the past.

Discussion ensued.

Motion was made by Mr. Bentley, seconded by Mr. Monroe and carried unanimously to approve the first two transfer requests listed and refer same to the Finance Committee. *Copies of the Request for Transfer of Fund forms are on file with the minutes.*

Due to the considerable amount of confusion on the matter, it was the consensus of the Committee that the third transfer request would not be approved, but referred to the Finance Committee for further discussion subsequent to Mr. Dusek's review and clarification of the matter.

Concluding his review, Mr. Tennyson reviewed the Items of Interest section which he outlined as follows:

1. Fence on Westbrook Road - Mr. Tennyson advised that discussions on the proposed fence were ongoing with the Village of Lake George in order to determine the amount of funding available to the Village for the project. He said once this was determined, they would begin engineering the fence construction. Mr. Belden said it was his understanding that the Village requested that the County fund the fence construction and Mr. Tennyson replied that he had not been made aware of this, but noted there were no funds available within the DPW budget to fund the project. Mr. Monroe questioned whether TEP (Transportation Enhancements Program) funding received from NYSDOT could be used and Mr. Tennyson replied that he did not know. Mr. Belden suggested that Mr. Tennyson contact Dave Decker, Project Manager/Director of the Lake George Watershed Coalition, to make this determination;
2. Federal Aid Project Designs - Four new projects had been identified through the Transportation Improvement Program, Mr. Tennyson announced, which he listed as the Crane Mountain Road Bridge replacement, Hicks Road reconstruction, Lanfear Road Bridge repair and the Brant Lake Inlet Bridge repair. He said they were awaiting final approval from NYSDOT as to the grant awards, but noted that project consultants had been chosen for each as reflected on the agenda. Mr. Tennyson advised that the Lanfear Road and Brant Lake Inlet Bridge Projects were considered element specific and would not include full replacement, but rather repairs to address flags cited on each so that County forces could do additional work in both locations;
3. FEMA (Federal Emergency Management Agency) Washout Repair Reimbursement - Mr. Tennyson announced that pages 25 - 29 of the agenda packet included the worksheets submitted to FEMA for washout repairs made in 2010 following which the Treasurer's Office had subsequently received reimbursement in the amount of \$58,370.16. He noted that although all of the repair costs had been funded from the DPW Budget, he had been advised that the reimbursement funds could not be returned to the same code funds were expended from. Mr. Belden questioned where the reimbursement would be applied and Mr. Dusek advised that while it was possible that the funds could not be returned to the materials code they were originally expended from, the reimbursement would most likely have been applied to either the reserve or surplus balance associated with the DPW Budget. Mr. Dusek added that he would check with the Treasurer's Office to ensure this was the case. Mr. Conover commended all involved parties for completion of the emergency repairs following the flood event, as well as their efforts in seeking out and obtaining the FEMA reimbursements;
4. A/GFTC Access Road Study - The A/GFTC was completing a study regarding the benefits of an additional access road to the Airport property, Mr. Tennyson advised, from which they hoped to gain a conceptual feasibility level study for the best location for the access road, as well as cost estimates for its construction in order to seek out alternate funding sources;
5. Chatiemac Road Bridge Replacement Project - Mr. Tennyson circulated photographs of the new Chatiemac Road Bridge on which construction was currently delayed while awaiting the reopening of asphalt plants in the spring; *a copy of the photo is on file with the minutes*. He noted that use of the temporary bridge constructed by DPW staff would continue until the Chatiemac Road Bridge was completed. Mr. Belden questioned what firm served as the contractor for this Project and Mr. Tennyson replied that the work was being completed by Warren County DPW staff. He noted that the total Bridge construction cost was estimated at \$160,000 - \$170,000, whereas it would likely cost upwards of \$400,000 if it had been a grant funded project requiring the use of an outside contractor;
6. New Municipal Center Sign - Photos of the incomplete sign were circulated amongst the Committee members, a copy of which is also on file with the minutes. Mr. Tennyson said the sign had already been painted, drilled and tapped in preparation for the lettering that would eventually be applied.

- He said that once spring weather arrived, they intended to transport the sign to its final location at which point it would be installed and stone pillars would be constructed on either side;
7. New Hire - Shawn Raymond - Mr. Tennyson reminded the Committee they had given approval to fill an Assistant Engineer position during the fall of 2010, following which they had completed an interview process and recently offered the position to Shawn Raymond who would begin his employment with the County on February 14<sup>th</sup>. He noted that although Mr. Raymond did not have an Engineering license, as the position did not require one, he was actually over-qualified for the position and had particular skills that rounded out the Engineering Division.

Mr. Belden questioned whether the filling of the Assistant Engineer position accounted for the final vacancy within the Engineering Division and Mr. Tennyson replied in the negative. He reminded the Committee members that after exhaustive discussions and review with Mr. Dusek, they had finally been granted the Assistant Engineer position recently filled due to necessity; however, he noted, there had recently been another retirement vacating another position in the Engineering Division. Mr. Tennyson said it was important to remember that the enhanced Engineering Division supported a number of County projects enabling them to be completed less expensively, but at a higher quality. He noted that he had not requested approval to fill the vacant position because he preferred to re-assess the Division in consideration of Mr. Raymond's particular talents and identify if any shortfall's existed in order to make a determination as to whether the position should be filled at its current level or re-classified to suit other Departmental needs before addressing the Committee on the matter. Mr. Tennyson said that while he was conscious of the Committee's continuing efforts to reduce salary costs, he needed to maintain the productivity of his Department and therefore performed an assessment of every employee within the Engineering Division in order to provide supportive information to the Committee when making these decisions.

Mr. Champagne said he would be interested in reviewing statistical information regarding the Engineering staff employed by surrounding Counties in comparison to Warren County as the cost of hiring an Engineer was a considerable one. He added that although he was not disagreeing with the concept and practices of the Warren County Engineering Division, he felt that valid comparisons should be made to ensure that the County was incorporating the proper amount of Engineering staff without being excessive. With reference to the additional Maintenance staff requested for the Airport, Mr. Champagne stated that in his experience there were a considerable number of staff that did not have sufficient work to keep them busy when not clearing snow and ice events that could be transferred to the Airport to cover employee shortfalls. Additionally, he said that if one-person plowing was instituted continuously, rather than just for overtime events, it would reduce the number of people needed to staff plow trucks and those employees could be circulated to work in different divisions as needed.

Respective to the Engineering staff, Mr. Tennyson stated that he encouraged any reviews requested and would work with Mr. Dusek to facilitate them; however, he added, it was important to note that the Engineering Division not only had picked up duties traditionally held by other portions of the Department, but also had absorbed duties previously addressed by the General Foreman and Information Technology Manager positions that had been eliminated. He said it would be very difficult to find a surrounding County with the same level of Engineering staff by comparison given all of the Divisions currently within the Department and the roles assumed. To get a full assessment, Mr. Tennyson suggested that a review of the entire Department would be necessary to accurately depict the jobs and responsibilities assumed by the Engineering Division. He reminded the Committee that his Department had not been averse to staffing reductions and had actually suffered the most position eliminations, reducing staff from 136 positions in 2006 to 108 currently, and those reductions had been made while reorganizing the Department and shifting responsibilities to the Engineering Division.

Mr. Belden suggested that Mr. Tennyson prepare a report detailing the staffing and organization changes made since

2006, as well as outlining the savings achieved through the abilities to engineer projects on an in-house basis rather than having to contract with an outside source, in order to reflect the real benefits to the County. Mr. Tennyson responded that the majority of this information had already been compiled and could be presented for a future Committee meeting.

With reference to the Referral items listed, Mr. Dusek advised that both should be deferred for discussion at the next Committee meeting.

Mr. Tennyson noted that the final agenda item was a request for executive session and Mr. Dusek requested that the item be addressed at the upcoming Personnel Committee meeting as the current meeting had exceeded its allotted time frame.

There being no further business to come before the Public Works Committee, on motion made by Mr. Bentley and seconded by Mr. Monroe, Mr. Belden adjourned the meeting at 11:48 a.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist